IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CRIMINAL JURISDICTION

CRIMINAL APPLICATION NO.6347 OF 2005
IN
CRIMINAL APPLICATION NO.4297 OF 2005
IN
CRIMINAL APPEAL NO.389 OF 2002

Uday Mohanlal Acharya .. Applicant

v/s.

The State of Maharashtra .. Respondent

And

Siddhanath Ragunath Nikam .. Applicant (Intervenor)

Mr.Nitin Pradhan with Ms.S.D.Khot for the applicant.

Mr.R.V.Govilkar with Mr.D.V.Surta and Mr.M.B.Gawade for the applicant-intervenor.

Mr.S.R. Borulkar, Public Prosecutor with Mr.D.S.Mhaispurkar, Addl.Public Prosecutor for the State.

CORAM : SMT.RANJANA DESAI, J.

DATED : 18th October, 2005.

P.C.

Intervenor is one of the depositors in C.U.Marketing Company of which the applicant herein was the proprietor/director. The applicant is convicted for having fraudulently defaulted in repayment of deposits collected from the investors during the period 30.4.1999 to 29.4.2000 alongwith the benefits in the form of interest, bonus, double money and many other assurances against the said depositors to the said investors aggregating to

Rs.35,87,00,799/-. The Special Judge sentenced the applicant for six years. A fine of Rs.1,00,000/- was imposed on him. In default of payment of fine, the applicant was to undergo further R.I. for six months.

2. The applicant has preferred second application for bail being criminal application No. 4297 of 2005. The intervenor wants to intervene in the said application and hence he has filed this civil application praying that he may be allowed to intervene in the matter.

3. I have heard the learned counsel for the parties. Considering the seriousness of the case and the fact that the intervenor is one of the many depositors who have been allegedly defrauded by the applicant, in my opinion, the intervenor must be allowed to intervene in the matter. Hence the intervention application is allowed and disposed of in the aforesaid terms.

(SMT.RANJANA DESAI, J.)